

SENATE—Friday, January 5, 2001

The Senate met at 10:30 a.m. and was called to order by the President pro tempore [Mr. BYRD].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, source of all power, we praise You that You entrust Your power to the Senators so that they may lead and govern. Keep them mindful that they hold power with Your permission and for Your purposes. May the power they hold be equally measured by the humility they express. Human power can lead to pride. Praise to You, for the privilege of power is the antidote to this pride. With power comes power struggles to determine who is in control. These power struggles can denigrate our awareness that You are in control. In this unprecedented time when power must be shared by the parties, bless the Senators with an equally unprecedented measure of trust in each other and each other's parties.

Dear Father, work in the minds and hearts of the Senators as they consider the Senate committee organization. May this Senate exemplify to the Nation that great leaders can work together. When You are our Lord, there is no need to lord it over others; when we remember our accountability to You, we can be accommodating to one another. May it be so in this Senate for Your glory and the good of our beloved Nation. You are Lord. Amen.

PLEDGE OF ALLEGIANCE

The Honorable HARRY REID, a Senator from the State of Nevada, led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to exceed the hour of 11 a.m. with Senators permitted to speak for up to 5 minutes each.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The absence of a quorum has been suggested. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that following the statement of the Senator from North Dakota, Mr. DORGAN, speaking in morning business, the Senate be in recess subject to the call of the Chair.

The PRESIDENT pro tempore. Is there objection? There is no objection. It is so ordered.

The senior Senator from North Dakota is recognized.

ORGANIZING THE SENATE

Mr. DORGAN. Mr. President, we have been in a quorum call this morning and for some part of yesterday. I know news reports are explaining to the American people that we are in the process of organizing in the Senate at this point and it has been a bit difficult because, for the first time in the history of our country, the Senate is evenly split as between Republicans and Democrats.

There was an occasion in the last century, about 120 years ago or so, in which there was an equal number of Republicans and Democrats. But there were also two Independents serving in the Senate at the time. Having read a bit about that period of time, my understanding is the Independents had quite an interesting time bargaining as between the two political parties about what their respective roles might be, should they choose to assist one political party or another.

But that is not the case in this circumstance. We are evenly split. The American people caused that to happen. They sent 50 Republican Senators and 50 Democrat Senators here to the Senate. It is my hope that the negotiations currently underway between the Democratic leader, now the majority leader, Senator DASCHLE, and the Republican leader, Senator LOTT, will bear fruit and that we will be able to organize in a manner that is consistent with the wishes of the American people. The American people have, by their desire, said that they want a split Senate, in fact a dead-even tie.

That would say to us that after January 20, the Vice President-elect, RICHARD CHENEY, will have the opportunity to give the Republicans an additional

vote in this Chamber for the purpose of organizing. That is certainly true. But it is not the case that the Vice President, in his presiding role according to the Constitution, is going to play a role in any committee in this Congress. There is no such role for the Vice President. Therefore, in each and every committee we have a representation from 50 Democrats and 50 Republicans, a selection, then, of which is made to the committee membership. We feel very strongly that those committees ought to have a membership of 50/50.

Yesterday, we had the first hearing in the Committee on Commerce, Science, and Transportation on which I serve. Senator MCCAIN, who is the chairman of that committee—actually yesterday it was Senator HOLLINGS who was technically the Chair, and Senator MCCAIN works very closely with Senator HOLLINGS—Senator MCCAIN, in his opening statement, said: The way this committee works, we don't report things out of this committee that represent a partisan division. We work our issues out between the Republicans and Democrats. What we bring to the floor of the Senate, he said, from the Commerce Committee, represents a consensus among the members of the Commerce Committee.

He is right about that. He is a person who has chaired that committee all of the years that I have served on it in a circumstance where he really searches for ways to find common ground between the two political parties. Much to his credit, I must say, Senator MCCAIN has said he believes a 50/50 split on the committee is appropriate, given the fact that the Senate is split 50/50. I only mention that because just yesterday he made the point that a 50/50 split will not make much difference in committees where you work in a bipartisan way, and we do that—and he does that.

But it is my hope that now, in the coming hours, that Senator LOTT and Senator DASCHLE will be able to reach an agreement that is fair and one that allows us to do our work and allows us to organize our committees. I feel very strongly the product of that work should at the very least provide a 50/50 membership on the committees.

Mr. REID. Will the Senator yield for a question?

Mr. DORGAN. I am happy to yield.

Mr. REID. I say to my friend, he is right on the mark. Senator MCCAIN is quoted in the paper today, almost verbatim what the Senator from North Dakota said. He said, as quoted in the paper: I don't report things out of my committee on a partisan basis. If I did, they won't go anyplace anyway. And, in reality, the Senate is divided 50/50.